

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN WILLIAMS,)	
)	
Plaintiff,)	Civil Action No. 19-101J
)	Magistrate Judge Maureen P. Kelly
v.)	
)	
PENNSYLVANIA DEPARTMENT OF)	
CORRECTIONS; QUEHANNA BOOT)	
CAMP; STEVE GODFREY; TERRI)	
SOMERS, <i>SIP Program Administrator</i> ;)	
HEARING EXAMINER NUNEZ; and)	
CORRECT CARE SOLUTIONS, LLC.)	
)	
Defendants.)	

PRETRIAL ORDER

AND NOW, this 19th day of January 2022, the Court HEREBY ORDERS as follows:

1. Jury Selection & Trial.

- a. Jury selection is set for Wednesday, May 11, 2022 at 9:00 a.m., in Courtroom 9C, Joseph F. Weis, Jr. United States Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania.
- b. Jury trial is scheduled to begin on Monday, May 16, 2022 at 9:00 a.m. in Courtroom 9C.

2. Pretrial Narrative Statements.

Contents of pretrial statements: As provided in Local Rule LR 16.1.4 of this court, the parties' pretrial statements set forth in the information hereinafter described:

- a. Factual and Legal Contentions. A brief but full exposition shall be made from the legal theories that will be pursued at trial and a statement shall be made, in narrative form, of the material facts that will be offered at trial
- b. At trial, each party shall be limited to those factual and legal issues contained in his or her pretrial statements. All evidence, except evidence offered for impeachment, that does not relate to a factual or legal issue set forth in the pretrial statement or disclosed at the pretrial conference shall be excluded unless the parties agree otherwise or the Court orders otherwise.
- c. Plaintiff(s) shall file a Pretrial Narrative Statement no later than
3/4/22.
- d. Defendant(s) shall file a Pretrial Narrative Statement no later than
3/14/22.

3. Witness Lists and Exhibits.

- a. The witnesses identified in the parties' Pretrial Narrative Statements shall constitute the list of witnesses permitted to be called, other than for purely impeachment purposes. To the extent that any party seeks to amend its witness list, an appropriate motion shall be filed by
4/11/22.
- b. All exhibits must be marked and exchanged in advance of the Final Pretrial Conference. Plaintiff(s) shall use numbers and Defendant(s) shall use letters. If more than one party wishes to offer the same exhibit it shall

be marked with a number and listed as a joint exhibit on a Joint Exhibit List. On or before April 29, 2022, each party shall supply the Court with two copies of all exhibits to be used at trial in a tabbed exhibit binder along with the parties' Joint Exhibit List. See Attached Joint Exhibit List Form.

- c. Objections to authenticity or admissibility of any exhibit and the reason(s) therefore must be raised at the Final Pretrial Conference.

4. Designation of Discovery Excerpts to be Offered at Trial.

The parties shall file designation of excerpts from depositions, interrogatory answers, and responses to requests for admission to be offered at trial (other than for impeachment) by 4/15/22.

5. Motions and Briefs.

The parties shall file all motions in limine, including motions under Fed. R. Evid. 104(a) and motions to limit or sever issues, together with supporting briefs, and, if desired, a trial brief, by 3/11/22. Responses shall be filed by 3/25/22. All briefs supporting or opposing such motions are limited to five (5) pages; trial briefs are limited to twenty (20) pages.

6. Proposed Jury Instructions & Verdict Slips.

- a. Counsel shall file a single, joint set of proposed jury instructions citing authority for each instruction along with computer disk/CD containing the instructions in Word format by 4/6/22. The filed set of instructions shall include both the agreed upon instructions and the

proposed instructions to which the parties have not agreed in the order that the parties wish the instructions to be given. Each agreed upon instruction shall include the following notation at the bottom: This proposed instruction is agreed upon by the parties. Each instruction to which the parties have not agreed shall indicate at the bottom the name of the party proffering the instruction.

- b. At the final pretrial conference, a ruling will be made on each point for charge and a copy of the Court's proposed charge will be supplied to counsel. Counsel are required to state objections to the proposed charge at the conference and to supply the alternate language, together with case authority.
- c. Each party shall file a proposed verdict slip by 4/6/22.

7. **Proposed Voir Dire.**

Counsel are permitted to supplement the standard questions (see Local Rule 47.1) provided that the proposed supplemental voir dire questions are submitted to the Court in writing by 4/1/22. The Court will review any supplemental voir dire questions submitted and include any deemed appropriate. The Court's ruling on the parties' proposed supplemental voir dire questions will be conveyed to counsel at the final pretrial conference.

8. **Joint Stipulations.**

The parties shall file joint stipulations by 4/8/22. All possible stipulations shall be made as to:

- a. facts;
- b. issues to be decided;
- c. the authenticity and admissibility of exhibits;
- d. expert qualifications and reports;
- e. deposition testimony to be read into the record; and
- f. a brief statement of the claims and defenses to be read to the jury to introduce the trial.

Counsel shall meet at a mutually convenient time and place to produce the joint stipulation in time for filing as ordered.

9. **Final Pretrial Conference.**

A final pretrial conference shall be held on **Thursday, May 5, 2022 at 1:00 p.m.** in Courtroom 9C, Joseph F. Weis, Jr. United States Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania.

BY THE COURT:

/s/ Maureen P. Kelly
MAUREEN P. KELLY
UNITED STATES MAGISTRATE JUDGE

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)	
)	
)	
vs.)	Civil Action No.
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)	
)	
Defendants.)	

JOINT EXHIBIT LIST

No.	Plaintiff's Exhibits	Authenticated	Admissible	Objection
No.	Defendant's Exhibits	Authenticated	Admissible	Objection
Jt.	Joint Exhibits	Authenticated	Admissible	Objection